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Part IV—Section 2

Tamil Nadu Acts and Ordinances

CONTENTS

	<i>Pages.</i>
ACTS :	
No. 22 of 2018—The Tamil Nadu Establishment of Private Law Colleges (Regulation) Act, 2018	88-90
No. 23 of 2018—The Tamil Nadu Sugarcane (Regulation of Purchase Price) Act, 2018	91-100
No. 24 of 2018—The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 2018	101-102
No. 25 of 2018—The Tamil Nadu Appropriation (No.3) Act, 2018	103-109

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 12th July 2018 and is hereby published for general information:—

ACT No. 22 OF 2018.

An Act to regulate the establishment of Private Law Colleges in the State of Tamil Nadu.

WHEREAS, in consonance with the spirit of Article 41 of the Constitution of India, the Government have taken a policy decision to establish adequate number of Government law colleges in the State in a phased manner, to impart legal education at affordable cost;

AND WHEREAS, the past experience revealed that private persons are not able to provide legal education at affordable cost to the economically and socially weaker sections and also not able to continue to run the law colleges;

AND WHEREAS, the Tamil Nadu Establishment of Private Law Colleges (Prohibition) Act, 2014 (Tamil Nadu Act 13 of 2014) was enacted to prohibit private persons from establishing any law college or institution providing any course of study or training in law for admission to the examination for law degrees, diplomas or other academic distinctions of the University;

AND WHEREAS, the Madras High Court, has ruled that there cannot be a total prohibition to start law colleges by private persons;

AND WHEREAS, the Bar Council of India has passed a resolution requesting all the State Governments to restrict the number of granting No Objection Certificates to start law colleges for three years;

NOW, THEREFORE, the Government have decided to regulate the establishment of private law colleges in Tamil Nadu by laying down certain norms for grant of permission to start law colleges by private persons;

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-ninth Year of the Republic of India as follows:-

Short title and commencement. **1.** (1) This Act may be called the Tamil Nadu Establishment of Private Law Colleges (Regulation) Act, 2018.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Definitions. **2.** In this Act, unless the context otherwise requires,-

(a) “competent authority” means the Director of Legal Studies;

(b) “Government” means the State Government;

(c) “Law College” means any college or institution providing any course of study or training in law for admission to the examination for law degrees, diplomas or other academic distinctions of the University;

(d) "prescribed" means prescribed by rules made under this Act;

(e) "private person" means,—

- (i) a company, whether incorporated or not;
- (ii) a registered society;
- (iii) a registered trust;

Tamil Nadu Act
43 of 1997.

(f) "University" means the Tamil Nadu Dr.Ambedkar Law University established under section 3 of the Tamil Nadu Dr.Ambedkar Law University Act, 1996.

3. No private person shall, on or after the date of commencement of this Act, establish a law college without the permission of the Government and except in accordance with the terms and conditions specified in such permission. Establishment of Law College.

4. (1) Every private person who proposes to establish a law college shall make an application to the competent authority. Application for permission.

(2) Before making an application under sub-section (1), the private person shall create an Endowment for rupees thirty lakh for establishment of a law college. The amount shall be invested in a Nationalised Bank or Government of India or Government of Tamil Nadu Undertaking.

(3) The private person shall produce either a Bank Guarantee for a period of five years to the tune of rupees twenty lakh or a solvency certificate for the said amount obtained from the competent revenue authority.

(4) Every such application shall, —

(a) be in the prescribed Form;

(b) be accompanied with a challan for having remitted a fee of rupees twenty five thousand (non-refundable) into the Government Treasury;

(c) contain the following particulars, namely:-

- (i) the name of the law college;
- (ii) the degrees and the courses for which the law college prepares, teaches or guides its students to grant or confer such degree;
- (iii) the amenities available or proposed to be made available to students;
- (iv) the library, moot court and other facilities for instructions;
- (v) the number of students to be admitted to each course of study;
- (vi) the situation and the description of the buildings in which the law college is proposed to be established;

(d) contain such other particulars as may be prescribed.

Grant of
permission.

5. (1) On receipt of an application under sub-section (1) of section 4, the competent authority shall verify the particulars and after making such enquiry as it deems necessary, forward the application to the Government along with his recommendations for grant of permission. The Government may grant or refuse to grant the permission for establishment of a law college taking into consideration the particulars contained in the application and also the rules, guidelines, instructions issued by the University Grants Commission, the Bar Council of India and the Tamil Nadu Dr.Ambedkar Law University:

Provided that the permission shall not be refused under this section unless the applicant has been given an opportunity of making his representation.

(2) No person shall be granted permission under sub-section (1) to establish a law college in Districts where a law college has already been established by the Government.

(3) On receipt of the permission granted under sub-section (1) for establishment of a law college, the private person shall apply to the University and other appropriate authorities for permission or affiliation, as the case may be, as required under the relevant laws.

(4) Notwithstanding anything contained in any other law for the time being in force, or in any judgment, decree or order of any court, every private person who has applied for No Objection Certificate from the Government or for affiliation from the University and whose application is pending with the Government or the University, as the case may be, on the date of commencement of this Act, shall apply for permission under the provisions of this Act.

Application of other
laws not barred.

6. The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force.

Power to make
rules.

7. (1) The Government may, by notification, make rules to carry out all or any of the purposes of this Act.

(2) All rules made under this Act shall be published in the *Tamil Nadu Government Gazette*, and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(3) Every rule made under this Act shall, as soon as possible after it is made, be placed on the table of the Legislative Assembly, and if, before the expiry of the session in which it is so placed or the next session, the Legislative Assembly makes any modification in any such rule or the Legislative Assembly decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Repeal.

8. The Tamil Nadu Establishment of Private Law Colleges (Prohibition) Act, 2014 is hereby repealed. Tamil Nadu Act 13 of 2014.

(By Order of the Governor)

S.S. POOVALINGAM,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 12th July 2018 and is hereby published for general information

ACT No. 23 OF 2018.

An Act to regulate the price of sugarcane purchased by the sugar factories from the farmers in the State of Tamil Nadu.

WHEREAS it is expedient to regulate the price of sugarcane purchased by sugar factories from the farmers in the State of Tamil Nadu, to offer better realization of price for the sugarcane sold by the farmers to the factory of the reserved area and to provide for matters connected therewith or incidental thereto.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Sugarcane (Regulation of Purchase Price) Act, 2018. Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

2. (1) In this Act, unless the context otherwise requires,— Definitions.

(a) “audit committee” means the committee appointed by the Board under section 13;

(b) "bagasse" means the final fibrous residue from a milling train or from the dewatering mills of diffusion plant;

(c) "Board" means the Sugarcane Control Board constituted under section 3;

(d) "Commissioner" means the Commissioner of Sugar and Cane Commissioner or any officer designated in this capacity by the Government;

(e) "factory" means any premises including the precincts thereof in any part of which sugar is manufactured by vacuum pan process and at its own option, ethanol either directly from sugarcane juice or from molasses, including B-Heavy molasses, or both, as the case may be, is manufactured;

(f) "Fair and Remunerative Price" means the minimum price fixed for sugarcane by Central Government under clause 3 of the Sugarcane (Control) Order, 1966 for the sugarcane year;

(g) "Financial Year" means the year commencing on the first day of April and ending with the thirty first day of March in the succeeding year;

(h) "free will area" means area not covered under the reserved area;

(i) "Government" means the State Government;

(j) "molasses" means mother liquid left over after recovery of sugar in the final stage of manufacturing by the vacuum pan process;

(k) "occupier of factory" means the person, who has control over all the affairs of a sugar factory and where the said affairs are entrusted to a director, partner or administrator, such director, partner or administrator, as the case may be;

(l) "person" includes individual, a co-operative society, Hindu Undivided Family, a company or firm or an association or a body of individuals, whether incorporated or not;

(m) "prescribed" means prescribed by rules;

(n) "reserved area" means, any area where sugarcane is grown and reserved for a factory under sub-clause (1) (a) of clause 6 of the Sugarcane (Control) Order, 1966;

(o) "revenue sharing based sugarcane price" means the price of sugarcane arrived at for each factory separately in accordance with section 9 of this Act and this price when realised shall be equal to or over and above the Fair and Remunerative Price for the respective season;

(p) "State" means the State of Tamil Nadu;

(q) "sugarcane" means sugarcane intended for use in a factory;

(r) "sugarcane grower" means a person who cultivates sugarcane intended for sale to a factory whether by himself or by his servants or by hired labour or by members of his family or his tenants, and includes a Co-operative Society registered under the Tamil Nadu Co-operative Societies Act, 1983;

Tamil Nadu Act
30 of 1983.

(2) Words and expressions used but not defined in this Act shall have meanings assigned to them in the Sugarcane (Control) Order, 1966.

3. (1) The Government shall, by notification, constitute a Board to be called as the Sugarcane Control Board to exercise such powers and to perform such functions assigned to it under this Act.

Constitution of
Sugarcane
Control Board.

(2) The Board shall have perpetual succession and have a common seal and shall, by the said name, sue and be sued.

(3) The Board shall consist of the following members, namely:—

- (a) Chief Secretary to Government, who shall be the Chairperson, *ex-officio*;
- (b) Secretary to Government, Finance department, *ex-officio*;
- (c) Secretary to Government, Industries department, *ex-officio*;
- (d) Agricultural Production Commissioner and Secretary to Government, Agriculture Department, *ex-officio*;
- (e) Director of Agriculture, *ex-officio*;
- (f) Director, Sugarcane Breeding Institute, Coimbatore, *ex-officio*;
- (g) Chief Accounts Officer, Tamil Nadu Sugar Corporation, *ex-officio*;
- (h) three representatives of the factories in the State to be nominated by the Government, out of which,—
 - (i) one member shall be from Tamil Nadu Co-operative Sugar Federation; and
 - (ii) two members from private sugar factories in the State;
- (i) four representatives of sugarcane growers cultivating sugarcane regularly in the State and supplying sugarcane to the factories, to be nominated by the Government, out of which,—
 - (i) two members shall be sugarcane growers supplying sugarcane to co-operative or public sector sugar factories; and
 - (ii) two members shall be growers supplying sugarcane to private sugar factories in the State;
- (j) Commissioner, Member Secretary, *ex-officio*;

(4) The headquarters of the Board shall be at Chennai.

Terms and conditions of appointment of nominated members of the Board.

4. (1) A nominated member shall hold office for a period of two years from the date of his nomination and he is eligible for re-nomination:

Provided that a nominated member shall not be re-nominated to the Board, without completion of a cooling off period of two years between the two terms.

(2) A nominated member may, by writing under his hand addressed to the Government, resign his office, but he shall continue to hold office until his resignation is accepted by the Government.

(3) When the office of a nominated member becomes vacant by resignation, death, removal, disqualification or otherwise, the Government shall nominate within three months a new member to fill such vacancy.

(4) The Government may remove a nominated member from his office, if he incurs any one of the disqualifications specified below, namely:—

(a) becomes an un-discharged insolvent; or

(b) is convicted and sentenced to imprisonment for an offence which, in the opinion of the Government, involves moral turpitude; or

(c) becomes of unsound mind and stands so declared by a competent court.

(5) The nominated members shall be eligible to draw such rate of sitting fee and travelling allowance, as may be prescribed.

Meetings of the Board.

5. (1) The Board shall meet, as often as may be necessary, at such time and place and observe such rules of procedure as may be prescribed:

Provided that the Board shall meet at least twice in a year.

(2) The Chairperson shall preside over the meeting of the Board.

(3) In the absence of the Chairperson by reason of leave or illness or for any other reasons, the Chairperson may authorise any of the other members of the Board to function as Chairperson and he shall preside over the meeting.

(4) No act or proceeding of the Board shall be invalid by reason only of the existence of any vacancy in, or any defect in the constitution of, the Board.

(5) Notice of the meetings of the Board, the place, quorum and procedures regarding transactions of the business of the Board shall be such as may be prescribed.

Functions of the Board.

6. The Board shall discharge the following functions, namely:—

(a) decide the revenue sharing based sugarcane price payable to the sugarcane growers, by the concerned sugar factories;

(b) offer advice on any matter referred by the Government, especially in respect of the regulation of the purchase of sugarcane;

(c) bring to the notice of the Commissioner, cases of breach of any of the provisions of the Act and the rules made thereunder, and to make suggestions for the prevention of the same;

(d) inquire into any matter in discharge of its functions including matters relating to revenue and expenditure, books of accounts of the factory, etc.,;

(e) consider the report of the audit committee on the revenue realisation for determination of revenue sharing based sugarcane price; and confer on it any powers as it deems fit;

(f) nominate any officer or committee to look into specific issues pertaining to the implementation of the provisions of the Act; and

(g) perform such other functions as may be prescribed.

Central Act V of
1908.

7. (1) The Board shall, for the purpose of any inquiry, have all the powers of a civil court while trying a civil suit under the Code of Civil Procedure, 1908 and, in particular, in respect of the following matters, namely:—

Powers of the
Board.

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of any document;

(c) receiving evidence on affidavits;

(d) requisitioning any public record, or copy thereof from any court or office or factory;

(e) issuing summons for the examination of witnesses and documents;

(f) to enquire into a complaint regarding fixation of revenue sharing based sugarcane price;

(g) any other matter as may be prescribed.

(2) Where the Board finds after enquiry that the allegation contained in any complaint is without any substance, it may, by an order, direct the complainant to pay to the opposite party an amount specified in the order by way of cost.

(3) Where the allegation contained in any complaint is about the loss to the sugarcane grower, the Board may, during enquiry, collect evidence, determine the loss and direct in its order, the amount to be realised from the person responsible.

(4) If the amount payable under sub-section (2) or sub-section (3) is not paid within the period specified in the order, the same shall be recovered as if it were an arrear of land revenue under the Tamil Nadu Revenue Recovery Act, 1864.

Tamil Nadu Act II
of 1864.

Powers of the Government to declare revenue sharing based sugarcane price.

8. On receipt of the recommendations of the Board, the Government may, by notification, declare the revenue sharing sugarcane price payable to the sugarcane growers by the concerned sugar factories.

Calculation of revenue sharing based sugarcane price and payment.

9. (1) The revenue sharing based sugarcane price shall be the higher value among the following, namely:—

(i) the sugarcane price arrived at as a sum equal to seventy per cent of the ex-factory basic value of sugar and the primary by-products such as bagasse, molasses and press mud; or

(ii) the sugarcane price arrived at as a sum equal to seventy five per cent of the ex-factory basic value of sugar alone.

(2) Upon declaration of the revenue sharing based sugarcane price by the Government, the cane grower is eligible to receive the difference between the revenue sharing based sugarcane price and the Fair and Remunerative Price as additional price in addition to the full Fair and Remunerative Price for the cane purchased from the cane grower in the reserved area of the factory for the financial year under consideration.

Power to declare any variety of sugarcane to be unsuitable for use in factories.

10. The Government may, on the recommendation of the Board, declare any variety of sugarcane as an unsuitable variety, and no factory shall grow or purchase such sugarcane variety as so declared.

Prohibition of distribution of certain varieties of seeds.

11. The occupier of a factory or any other person acting on his behalf, shall not distribute to any sugarcane grower in any area or shall not plant sugarcane seed of any variety in his own factory area if the same has been declared by the Government as unsuitable under section 10.

Purchase of sugarcane in reserved area.

12. (1) A sugarcane grower shall sell sugarcane only to the factory to which the area has been reserved. The sugarcane grower in a free will area is at liberty to choose the factory of his choice, but if he has entered into an agreement with a factory, the sugarcane shall be sold to that factory only.

(2) The factory shall enter into an agreement with the sugarcane grower in such form, by such date on such terms and conditions as specified in clause 6 of the Sugarcane (Control) Order, 1966 for the purpose of purchasing the sugarcane offered in accordance with sub-clause (1) of clause 6 of the said Order.

(3) No person other than the factory aforementioned shall purchase or enter into an agreement to purchase sugarcane grown by the sugarcane grower except in accordance with the agreement made under sub-section (1).

13. (1) For ascertaining revenue realisation in a sugar factory and to advise the Board on the determination of revenue sharing based sugarcane price, there shall be an audit committee appointed by the Board consisting of,—

Audit committee for the calculation of revenue realisation.

- | | | |
|--|---|-----------|
| (a) Commissioner | — | Chairman; |
| (b) Managing Director, Tamil Nadu Co-operative Sugar Federation | — | Convenor; |
| (c) Director, Co-operative Audit | — | Member; |
| (d) Chief Accounts Officer, Tamil Nadu Sugar Corporation | — | Member; |
| (e) Chief Sugar Chemist, Tamil Nadu Sugar Corporation | — | Member; |
| (f) An Independent Auditor (to be nominated by the Chairperson of the Board) | — | Member; |

The Board or the Chairman of the audit committee with the permission of the Board may appoint technical experts to the audit committee as and when required.

(2) The audit committee shall, after publication of annual report of each factory after closure of the financial year, have the power to inspect any sugar factory so as to ascertain the realisation of revenue in each sugar factory.

(3) The audit committee after inspection of the sugar factory shall submit a report to the Board.

14. The Board, while deciding revenue sharing based sugarcane price, shall take into consideration the following factors, namely:—

Factors to be taken into consideration by the Board for deciding revenue sharing based sugarcane price.

(a) The recorded weight of the sugarcane delivered by the sugarcane growers, actual revenue realized from production of sugar and by-products namely bagasse, molasses, press-mud; and accounting sugarcane juice or B-Heavy Molasses directly utilised for production of ethanol in terms of sugar.

Explanation.— For the purpose of this section, revenue realised from sugarcane crushed during the financial year shall include actual production of sugar and by-products, namely, bagasse, molasses, press-mud, and sugarcane juice or B-Heavy molasses directly utilised for production of any other produce, if any, which are suitably valued considering the sales, opening and the closing stock though they may not have been sold. The revenue realised through sale of white sugar or refined sugar and molasses produced from raw sugar purchased from outside sources and also from the white sugar or refined sugar and molasses produced from the raw sugar accounted for revenue sharing based sugarcane price calculated during the previous financial year shall not be included for calculation of the revenue sharing based cane price for the financial year under consideration.

(b) The report of the audit committee shall be taken into consideration for the determination of revenue sharing based sugarcane price.

Payment to
sugarcane
growers.

15. (1) As soon as the sugarcane is supplied to the occupier of factory, he shall be liable to pay the Fair and Remunerative Price fixed under the Sugarcane (Control) Order, 1966 within fourteen days from the date of receipt of sugarcane.

(2) The payment shall be made on the basis of the recorded weight of the sugarcane at the factory. The price of the sugarcane to be payable shall be calculated to the nearest rupee.

(3) An occupier of factory shall be liable to make all payments due for the sugarcane purchased by him and if he fails to make payments, he shall be responsible for making such payment with interest as per clause 3 of the Sugarcane (Control) Order, 1966 from the date when such payment falls due.

(4) (a) The cost of transportation of sugarcane from the field to factory shall be paid by the occupier of factory over and above the Fair and Remunerative Price;

(b) The payment of cost of transportation by the occupier of factory over and above the Fair and Remunerative Price shall be reviewed after completion of every four years from the date of commencement of this Act.

(5) (a) After the payment of Fair and Remunerative Price, further price realised by revenue sharing as determined by the Board, shall be paid within fourteen days from the date of publication of yearly ex-mill revenue sharing based sugarcane prices and values. All other conditions for sugarcane purchase payment shall be as per the provisions of the Sugarcane (Control) Order, 1966.

(b) Every payment made by the occupier of factory under this Act shall be paid to sugarcane growers through bank account only and not in cash.

(c) For recovery of the dues with respect to Fair and Remunerative Price, the provisions of the Sugarcane (Control) Order, 1966 shall mutatis-mutandis be applicable for recovery of arrears of price realised by revenue sharing.

Offences and
penalties.

16. (1) Any person contravening any of the provisions of this Act shall be punishable with fine which may extend to fifty thousand rupees.

(2) Any occupier of factory who refuses to pay for any sugarcane purchased by him the price payable in accordance with this Act or makes any deduction from such price in contravention of this Act, shall be punishable with imprisonment which may extend to six months or with fine which may extend to fifty thousand rupees or with both.

Offences by
companies.

17. (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed, was incharge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be proceeded against and punished accordingly.

Explanation.— For the purposes of this section,—

(a) “company” means any body corporate and includes a firm or other association of individuals; and

(b) “director” in relation to a firm means a partner in the firm.

18. No court shall take cognizance of any offence punishable under section 16, except upon a complaint made by an officer authorized by the Commissioner. Cognizance of offence.

19. (1) Any offence punishable under section 16 may, either before or after the institution of the prosecution, be compounded by the Commissioner or such other officer as may be authorised in this behalf by the Commissioner, on payment, for credit to the State Government, of such sum as the Commissioner or such other officer may specify: Compounding of offences.

Provided that such sum shall not, in any case, exceed the maximum amount of fine which may be imposed under this Act for the offence so compounded.

(2) Where an offence has been compounded under sub-section (1), no proceeding or further proceeding, as the case may be, shall be taken against the offender, in respect of the offence so compounded and the offender, if in custody, shall be discharged forthwith.

20. The Commissioner, the members of the audit committee and every officer appointed under this Act shall, when acting or purporting to act in pursuance of the provisions of this Act, be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. Commissioner and officers to be public servants.

Central Act XLV
of 1860.

21. No suit, prosecution or other legal proceedings shall lie against the audit committee, Board, Government or its officer for anything which is in good faith done or intended to be done under this Act or any rule or order made thereunder. Protection of action taken in good faith.

22. (1) The Government may, in the public interest, by order, direct the Board to make an enquiry into any case specified in the order, and the Board shall report to the Government the result of the enquiry made by it within such period as may be prescribed. Power of Government to give direction.

(2) On receipt of the report from the Board, the Government shall give such direction as they deem fit and such direction shall be final and binding.

Power to make
rules.

23. (1) The Government may, by notification in the *Tamil Nadu Government Gazette*, make rules for carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing provisions, such rules may provide for,—

(a) the allowances payable to the nominated members of the Board, the manner in which casual vacancies among them shall be filled and the procedure for the conduct of its business in discharging its functions under this Act;

(b) the correct weighment of sugarcane, the provision of facilities for weighment and for checking weighments and timings of weighments;

(c) the method of determining the percentage of recovery of sugar from sugarcane;

(d) the form of the records to be kept and of the returns to be made, and the information to be furnished by persons liable to pay the revenue based sugarcane price;

(e) the form in which any notice required shall be given;

(f) any other matter which is to be or may be prescribed under this Act.

(3) Except when the rules are made for the first time, all rules made under this Act shall be subject to the condition of previous publication.

(4) Every rule made or notification or order issued under this Act shall, as soon as possible, after it is made or issued, be placed on the table of the Legislative Assembly, and if, before the expiry of the session in which it is so placed or the next session, the Legislative Assembly makes any modification in any such rule or notification or order or the Legislative Assembly decides that the rule or notification or order should not be made or issued, the rule or notification or order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification or order.

Power to remove
difficulties.

24. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the *Tamil Nadu Government Gazette*, make such provisions, not inconsistent with the provisions of this Act as appears to them to be necessary or expedient for removing the difficulty.

Provided that no order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(By Order of the Governor)

S.S. POOVALINGAM,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 12th July 2018 and is hereby published for general information:—

ACT No. 24 OF 2018.

An Act further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 2018. Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Tamil Nadu Act 58 of 1961.

2. In section 3 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (hereinafter referred to as the principal Act), after clause 21, the following clause shall be inserted, namely:— Amendment of section 3.

“(21-A) “investment” means the investment as defined in the Tamil Nadu Industrial Policy, from time to time;”.

3. In section 5 of the principal Act, in sub-section (1),— Amendment of section 5.

(1) in clause (a), for the expression “sub-sections (3-A), (3-B), (3-C), (4) and (5)”, the expression “clause (e), sub-sections (3-A), (3-B), (3-C), (4) and (5)” shall be substituted;

(2) after clause (d), the following clause shall be added, namely:—

“(e) the ceiling area in the case of every industrial or commercial undertaking, which invests more than twenty crores of rupees, shall be thirty standard acres:

Provided that such land shall be dry land and the industrial or commercial undertaking shall utilise the land for industrial or commercial purposes within such period as may be prescribed and shall continue to use the said land for industrial or commercial purpose.”.

(By Order of the Governor)

S.S. POOVALINGAM,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 12th July 2018 and is hereby published for general information:—

ACT No. 25 OF 2018.

An Act to provide for the appropriation of Moneys out of the Consolidated Fund of the State for the services and purposes of the financial year commenced on the 1st day of April 2018.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-ninth Year of the Republic of India as follows:—

1. This Act may be called the Tamil Nadu Appropriation (No.3) Act, 2018.

Short title.

2. The State Government may appropriate out of the Consolidated Fund of the State for the services and purposes of the financial year commenced on the 1st day of April 2018, a sum not exceeding Two lakh forty three thousand eight hundred forty seven crore twenty six lakh and twenty two thousand rupees, which shall be inclusive of the sum of One lakh fifty thousand sixty one crore fifteen lakh and twenty five thousand rupees specified in section 2 of the Tamil Nadu Appropriation (Vote on Account) Act, 2018, being moneys required to meet—

Appropriation out of the Consolidated Fund of the State for the services and purposes of the financial year commenced on the 1st day of April 2018.

(a) the grants made by the Tamil Nadu Legislative Assembly for the year, as set forth in column (3) of the Schedule; and

(b) the expenditure charged on the Consolidated Fund of the State for that year, as set forth in column (4) of the Schedule.

THE SCHEDULE

(See section 2)

Demand Number	Services and Purposes	Sums not exceeding		
		Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total
(1)	(2)	(3)	(4)	(5)
		₹	₹	₹
1 STATE LEGISLATURE	Revenue	84,20,07,000	72,71,000	84,92,78,000
	Capital	...	...	...
	Loan	1,000	...	1,000
2 GOVERNOR AND COUNCIL OF MINISTERS	Revenue	38,15,67,000	12,45,25,000	50,60,92,000
	Capital	...	...	...
	Loan	...	...	...
3 ADMINISTRATION OF JUSTICE	Revenue	970,20,87,000	227,74,30,000	1,197,95,17,000
	Capital	...	...	...
	Loan	...	...	...
4 ADI-DRAVIDAR AND TRIBAL WELFARE DEPARTMENT	Revenue	3,394,90,41,000	14,00,03,000	3,408,90,44,000
	Capital	140,74,96,000	...	140,74,96,000
	Loan	1,000	...	1,000

Tamil Nadu Act
16 of 2018.

Demand Number	Services and Purposes		Sums not exceeding		
			Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total
(1)	(2)		(3)	(4)	(5)
			₹	₹	₹
5	AGRICULTURE DEPARTMENT	Revenue	8,323,87,22,000	4,000	8,323,87,26,000
		Capital	461,87,96,000	...	461,87,96,000
		Loan	130,50,00,000	...	130,50,00,000
6	ANIMAL HUSBANDRY (Animal Husbandry, Dairying and Fisheries Department)	Revenue	1,171,10,65,000	3,000	1,171,10,68,000
		Capital	56,33,58,000	...	56,33,58,000
		Loan	25,00,00,000	...	25,00,00,000
7	FISHERIES (Animal Husbandry, Dairying and Fisheries Department)	Revenue	733,00,88,000	1,000	733,00,89,000
		Capital	283,52,09,000	...	283,52,09,000
		Loan	...	...	...
8	DAIRY DEVELOPMENT (Animal Husbandry, Dairying and Fisheries Department)	Revenue	65,82,30,000	1,000	65,82,31,000
		Capital	65,00,01,000	...	65,00,01,000
		Loan	...	...	...
9	BACKWARD CLASSES, MOST BACKWARD CLASSES AND MINORITIES WELFARE DEPARTMENT	Revenue	976,14,10,000	1,50,10,000	977,64,20,000
		Capital	22,78,06,000	...	22,78,06,000
		Loan	1,000	...	1,000
10	COMMERCIAL TAXES (Commercial Taxes and Registration Department)	Revenue	366,32,09,000	3,000	366,32,12,000
		Capital	...	...	...
		Loan	1,000	...	1,000
11	STAMPS AND REGISTRATION (Commercial Taxes and Registration Department)	Revenue	304,98,76,000	1,000	304,98,77,000
		Capital	...	...	...
		Loan	...	...	...
12	CO-OPERATION (Co-operation, Food and Consumer Protection Department)	Revenue	1,732,38,68,000	3,000	1,732,38,71,000
		Capital	60,31,33,000	...	60,31,33,000
		Loan	12,37,82,000	...	12,37,82,000
13	FOOD AND CONSUMER PROTECTION (Co-operation, Food and Consumer Protection Department)	Revenue	6,164,77,53,000	4,000	6,164,77,57,000
		Capital	133,96,40,000	...	133,96,40,000
		Loan	...	...	...
14	ENERGY DEPARTMENT	Revenue	8,334,02,11,000	1,000	8,334,02,12,000
		Capital	482,65,01,000	...	482,65,01,000
		Loan	931,21,06,000	...	931,21,06,000
15	ENVIRONMENT (Environment and Forests Department)	Revenue	15,69,03,000	1,000	15,69,04,000
		Capital	13,18,00,000	...	13,18,00,000
		Loan	20,00,01,000	...	20,00,01,000

Demand Number	Services and Purposes	Sums not exceeding		
		Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total
(1)	(2)	(3)	(4)	(5)
		₹	₹	₹
16	FINANCE DEPARTMENT	Revenue 1,003,32,51,000	5,000	1,003,32,56,000
		Capital 770,00,00,000	...	770,00,00,000
		Loan 131,22,04,000	...	131,22,04,000
17	HANDLOOMS AND TEXTILES (Handlooms, Handicrafts, Textiles and Khadi Department)	Revenue 1,239,22,40,000	1,000	1,239,22,41,000
		Capital 50,01,000	...	50,01,000
		Loan 1,00,07,000	...	1,00,07,000
18	KHADI, VILLAGE INDUSTRIES AND HANDICRAFTS (Handlooms, Handicrafts, Textiles and Khadi Department)	Revenue 227,45,71,000	2,000	227,45,73,000
		Capital ...	...	...
		Loan 1,000	...	1,000
19	HEALTH AND FAMILY WELFARE DEPARTMENT	Revenue 11,021,75,00,000	1,28,78,000	11,023,03,78,000
		Capital 304,55,41,000	...	304,55,41,000
		Loan 1,000	...	1,000
20	HIGHER EDUCATION DEPARTMENT	Revenue 4,241,96,73,000	2,000	4,241,96,75,000
		Capital 378,23,69,000	2,000	378,23,71,000
		Loan 2,000	...	2,000
21	HIGHWAYS AND MINOR PORTS DEPARTMENT	Revenue 1,516,64,62,000	5,000	1,516,64,67,000
		Capital 9,557,00,86,000	2,000	9,557,00,88,000
		Loan 2,000	...	2,000
22	POLICE (Home, Prohibition and Excise Department)	Revenue 7,434,50,57,000	3,57,50,000	7,438,08,07,000
		Capital 434,50,05,000	...	434,50,05,000
		Loan 5,00,03,000	...	5,00,03,000
23	FIRE AND RESCUE SERVICES (Home, Prohibition and Excise Department)	Revenue 302,80,30,000	1,000	302,80,31,000
		Capital 44,78,38,000	...	44,78,38,000
		Loan 1,000	...	1,000
24	PRISONS (Home, Prohibition and Excise Department)	Revenue 306,80,01,000	6,000	306,80,07,000
		Capital 3,000	...	3,000
		Loan ...	...	...
25	MOTOR VEHICLES ACTS-ADMINISTRATION (Home, Prohibition and Excise Department)	Revenue 345,70,80,000	1,000	345,70,81,000
		Capital 1,000	...	1,000
		Loan ...	...	...

Demand Number	Services and Purposes	Sums not exceeding		
		Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total
(1)	(2)	(3)	(4)	(5)
		₹	₹	₹
26	HOUSING AND URBAN DEVELOPMENT DEPARTMENT	Revenue	2,915,47,58,000	2,915,47,60,000
		Capital	889,29,15,000	889,29,15,000
		Loan	1,360,00,03,000	1,360,00,03,000
27	INDUSTRIES DEPARTMENT	Revenue	2,147,97,10,000	2,147,97,13,000
		Capital	6,000	6,000
		Loan	162,33,11,000	162,33,11,000
28	INFORMATION AND PUBLICITY (Tamil Development and Information Department)	Revenue	87,40,35,000	87,40,35,000
		Capital	20,00,00,000	20,00,00,000
		Loan	...	...
29	TOURISM - ART AND CULTURE (Tourism, Culture and Religious Endowments Department)	Revenue	110,87,29,000	110,87,36,000
		Capital	62,54,81,000	62,54,81,000
		Loan	1,000	1,000
30	STATIONERY AND PRINTING (Tamil Development and Information Department)	Revenue	122,44,05,000	122,53,08,000
		Capital	5,000	5,000
		Loan	...	...
31	INFORMATION TECHNOLOGY DEPARTMENT	Revenue	158,11,30,000	158,11,31,000
		Capital	...	...
		Loan	1,000	1,000
32	LABOUR AND EMPLOYMENT DEPARTMENT	Revenue	1,367,01,47,000	1,367,01,54,000
		Capital	62,60,47,000	62,60,47,000
		Loan	1,000	1,000
33	LAW DEPARTMENT	Revenue	35,22,35,000	35,22,36,000
		Capital	...	...
		Loan	...	...
34	MUNICIPAL ADMINISTRATION AND WATER SUPPLY DEPARTMENT	Revenue	8,912,92,68,000	8,912,92,71,000
		Capital	6,343,97,09,000	6,343,97,09,000
		Loan	505,13,57,000	505,13,57,000
35	PERSONNEL AND ADMINISTRATIVE REFORMS DEPARTMENT	Revenue	102,78,32,000	169,41,29,000
		Capital	1,000	1,000
		Loan	50,00,000	50,00,000

Demand Number		Services and Purposes	Sums not exceeding		
			Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total
(1)	(2)		(3)	(4)	(5)
			₹	₹	₹
36	PLANNING, DEVELOPMENT AND SPECIAL INITIATIVES DEPARTMENT	Revenue	218,28,49,000	4,000	218,28,53,000
		Capital	174,25,40,000	...	174,25,40,000
		Loan	1,000	...	1,000
37	PROHIBITION AND EXCISE (Home, Prohibition and Excise Department)	Revenue	120,75,10,000	1,000	120,75,11,000
		Capital	...	...	...
		Loan	...	...	...
38	PUBLIC DEPARTMENT	Revenue	460,93,63,000	36,04,000	461,29,67,000
		Capital	2,000	...	2,000
		Loan	17,50,00,000	...	17,50,00,000
39	BUILDINGS (Public Works Department)	Revenue	292,91,13,000	2,000	292,91,15,000
		Capital	1,189,77,16,000	...	1,189,77,16,000
		Loan	1,000	...	1,000
40	IRRIGATION (Public Works Department)	Revenue	2,035,15,65,000	2,000	2,035,15,67,000
		Capital	3,082,41,00,000	10,00,09,000	3,092,41,09,000
		Loan	...	...	...
41	REVENUE AND DISASTER MANAGEMENT DEPARTMENT	Revenue	5,934,20,21,000	13,000	5,934,20,34,000
		Capital	210,37,41,000	1,000	210,37,42,000
		Loan	1,000	...	1,000
42	RURAL DEVELOPMENT AND PANCHAYAT RAJ DEPARTMENT	Revenue	15,783,08,11,000	5,000	15,783,08,16,000
		Capital	2,086,85,02,000	...	2,086,85,02,000
		Loan	1,000	...	1,000
43	SCHOOL EDUCATION DEPARTMENT	Revenue	26,866,68,21,000	17,000	26,866,68,38,000
		Capital	339,19,64,000	...	339,19,64,000
		Loan	2,000	...	2,000
44	MICRO, SMALL AND MEDIUM ENTERPRISES DEPARTMENT	Revenue	446,63,28,000	1,000	446,63,29,000
		Capital	94,03,01,000	...	94,03,01,000
		Loan	1,000	...	1,000
45	SOCIAL WELFARE AND NUTRITIOUS MEAL PROGRAMME DEPARTMENT	Revenue	5,582,28,27,000	3,000	5,582,28,30,000
		Capital	29,34,01,000	...	29,34,01,000
		Loan	2,000	...	2,000

Demand Number	Services and Purposes		Sums not exceeding		
			Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total
(1)	(2)		(3) ₹	(4) ₹	(5) ₹
46	TAMIL DEVELOPMENT (Tamil Development and Information Department)	Revenue	52,56,90,000	3,000	52,56,93,000
		Capital	...	...	...
		Loan	1,000	...	1,000
47	HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS (Tourism, Culture and Religious Endowments Department)	Revenue	266,16,61,000	3,00,00,000	269,16,61,000
		Capital	...	...	...
		Loan	...	...	...
48	TRANSPORT DEPARTMENT	Revenue	901,05,50,000	3,000	901,05,53,000
		Capital	791,28,87,000	...	791,28,87,000
		Loan	1,025,00,01,000	...	1,025,00,01,000
49	YOUTH WELFARE AND SPORTS DEVELOPMENT DEPARTMENT	Revenue	191,17,56,000	1,000	191,17,57,000
		Capital	...	...	...
		Loan	1,000	...	1,000
50	PENSION AND OTHER RETIREMENT BENEFITS	Revenue	27,480,71,26,000	19,64,92,000	27,500,36,18,000
		Capital	...	...	...
		Loan	...	...	...
51	RELIEF ON ACCOUNT OF NATURAL CALAMITIES	Revenue	786,01,30,000	2,000	786,01,32,000
		Capital	...	...	...
		Loan	...	...	...
52	DEPARTMENT FOR THE WELFARE OF DIFFERENTLY ABLED PERSONS	Revenue	537,05,97,000	1,000	537,05,98,000
		Capital	8,15,27,000	...	8,15,27,000
		Loan	1,000	...	1,000
53	DEPARTMENT OF SPECIAL PROGRAMME IMPLEMENTATION	Revenue	761,06,88,000	1,000	761,06,89,000
		Capital	...	...	...
		Loan	1,000	...	1,000
54	FORESTS (Environment and Forests Department)	Revenue	436,59,65,000	2,000	436,59,67,000
		Capital	163,87,60,000	...	163,87,60,000
		Loan	...	...	...
	DEBT CHARGES	Revenue	...	29,671,05,36,000	29,671,05,36,000
		Capital	...	...	...
		Loan	...	...	...

Demand Number	Services and Purposes	Sums not exceeding		
		Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total
(1)	(2)	(3)	(4)	(5)
		₹	₹	₹
PUBLIC DEBT - REPAYMENT	Revenue	...	...	...
	Capital	...	...	...
	Loan	...	15,325,87,66,000	15,325,87,66,000
Total	Revenue	165,429,35,22,000	30,022,08,29,000	195,451,43,51,000
	Capital	28,757,91,89,000	10,00,14,000	28,767,92,03,000
	Loan	4,302,03,02,000	15,325,87,66,000	19,627,90,68,000
Grand Total		198,489,30,13,000	45,357,96,09,000	243,847,26,22,000

(By order of the Governor)

S.S. POOVALINGAM,
Secretary to Government,
Law Department.